

Protective Order Committee  
Judicial Conference of Indiana

**Minutes**  
February 28, 2003

The Protective Order Committee met at the Indiana Judicial Center in Indianapolis on Friday, February 28, 2003, from 12:00 p.m. – 4:00 p.m.

1. Members present. Tammy Baitz, Linda E. Brown, Thomas H. Busch, Robert E. Lybrook, Christina J. Miller, Chris D. Monroe, Jerry L. Ummel and John W. Forcum, Chair
2. Staff present. Jeffrey Bercovitz and Tom Jones provided the committee with staff assistance.
3. Guest present. Senior Judge Ruth Reichard attended the meeting.
4. Minutes. The minutes of the meeting on January 24, 2003 were approved.
5. Recent legislation. The members of the committee compared HB 1816 to SB 479, the technical corrections bills that fix various concerns raised since the new protection order legislation was effective. The committee agreed the two most important “fixes” were the definition of employer and filing of protection orders in the court where the other case is pending. HB 1849 was discussed, which prevents restoration of firearms in cases of conviction of misdemeanor crimes of domestic violence and later restoration of civil rights. HB 1044 was distributed concerning the immunity of Clerks when distributing protection order forms.
6. Review of questions submitted to website. Committee members reviewed questions and proposed answers submitted to the Protection Order website received from January through this meeting.
7. Protection Order deskbook. The committee members agreed to prepare outlines for each of their assigned sections for the next meeting. See Attachment No. 1.
8. Next meeting dates. Committee members agreed meet at the following times: Friday, March 28, 2003; Friday, April 25, 2003, but agreed to check this date since there will be spring Judicial College sessions that day; Friday, June 27, 2003; and Friday, July 25, 2003 from 12:00 Noon – 4:00 p.m. at the Indiana Judicial Center; Friday, August 21-22, 2003 for a potential two-day work-study session, and October 24, 2003 from 12:00 Noon – 4:00 p.m. at the Indiana Judicial Center.

Respectfully submitted,

Jeffrey Bercovitz, Director  
Juvenile and Family Law

## Proposed Protection Order Benchbook Sections

Suggestions for Benchbook from Jeff:

1. Each section should contain procedures, forms, scenarios and applicable case law. It should be written based on what a new judge should know about protection orders. The clerk section should be written for both judges and clerks.
2. Forms are already on the website; the FAQ will supply some procedures. The procedures should be based on what a court needs to know to administer protection order cases.
3. Proposed sections:

10.00	Jurisdiction / Getting Started / Service	Judge Monroe
15.00	Initial Filing with Clerk	Clerk & Judge
20.00	<i>Ex Parte</i> Proceedings and Orders	Magistrate Miller
25.00	Hearings for Protection Orders	Judge Busch
30.00	Protection Orders including, but not limited to domestic relations and paternity ramifications	Magistrate Miller
40.00	No Contact Orders	Magistrate Lybrook
50.00	Workplace Violence Restraining Orders	Judge Brown
60.00	Enforcement of Protection Orders	Judge Forcum
70.00	Modifications and Termination of Protection Orders	Magistrate Ummel
80.00	Weapons/Brady Act	Judge Busch
90.00	Full Faith and Credit/NCIC/IDACS	
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